

1 THE HONORABLE BARBARA J. ROTHSTEIN

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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 NORTHWEST ADMINISTRATORS, INC.,

NO. 2:20-cv-01354-BJR

11 Plaintiff,

STIPULATION AND ORDER OF
DISMISSAL OF ALL CLAIMS WITH
PREJUDICE

12 v.

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14 MV TRANSPORTATION, INC., a
California corporation,

15 Defendant.
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STIPULATION

17 All the undersigned parties hereby stipulate to dismissal of this action under Rule
18 41(a)(1)(A)(ii) with prejudice, and without an award of costs to and fees to any party. This
19 Stipulation shall not foreclose Plaintiff or the Trust, based on res judicata principles or other
20 legal principles, from collecting additional contributions, liquidated damages, interest and
21 attorney's fees for the time period encompassed by this action, August 2016 through December
22 2019 and March 2020, if a future audit or some other source reveals that Defendant owes the
23 Plaintiff additional amounts for said period, or from collecting contributions, liquidated
24 damages, interest, attorney's fees and costs for any period other than August 2016 through
25 December 2019 and March 2020.
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1 A proposed form of order accompanies this stipulation .

2 DATED: April 28, 2021

3 REID, McCARTHY, BALLEW &
4 LEAHY, L.L.P.

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Attorneys for Defendant

1 **ORDER**

2 Based on the foregoing Stipulation, it is hereby ORDERED that this action is dismissed
3 with prejudice. This Order shall not foreclose Plaintiff or the Trust, based on res judicata
4 principles or other legal principles, from collecting additional contributions, liquidated
5 damages, interest and attorneys' fees for the time period encompassed by this action, August
6 2016 through December 2019 and March 2020, if a future audit or some other source reveals
7 that Defendant owes the Plaintiff additional amounts for said period, or from collecting
8 contributions, liquidated damages, interest, attorney's fees and costs for any period other than
9 August 2016 through December 2019 and March 2020.
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12 DATED this 29th day of April 2021.

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15 JUDGE BARBARA J. ROTHSTEIN
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